

## Non-Gestational Parent Leave Policy

(Reviewed in May 2025. For review in or before May 2027.)

### Note 1

In this policy “non-gestational parent” refers to the parent (regardless of gender) who does not give birth. This corresponds to legal definitions of “father” or “mother’s partner” and “paternity leave” in legislation, but we wish to recognise that non-gestational parents include people of any gender.

### Note 2

For all employees, whether in the UK, Lebanon, Jordan or elsewhere, Seenaryo’s family friendly policies satisfy the local statutory policies, but also provide an enhanced additional contribution. The financial and time provision for all Seenaryo employees is the same, regardless of their country of residence or the level of support provided by their government.

As far as possible, Seenaryo aims to provide equitable benefits for all staff, even if this means that the cost to the organisation per staff member varies depending on the provision of their national government.

## Non-Gestational Parent Leave

Seenaryo considers it important that non-gestational parents are able to support the gestational parents during pregnancy and birth and the period immediately following birth. It is our view that the non-gestational parent’s involvement is as important to the wellbeing of the child as the gestational parent’s and that this should be reflected in Seenaryo’s policy. In general terms non-gestational parents’ entitlements falls into three areas;

- that non-gestational parents are entitled to take time off to attend ante-natal visits or classes,
- that they are entitled to leave in the period just prior to and after the birth and
- that they are entitled to leave during the first year of the child’s life to care for and improve the attachment of the child to their primary carer.

For more extended leave that offers a chance to do more than support the primary care-giver, the employee should consider taking Shared Parental Leave. They should also be entitled to request flexible working arrangements upon their return to work after the leave. Every effort should be made to allow such requests. These entitlements should be irrespective of the length of service. These leave arrangements are detailed below.

The non-gestational parent should inform the Co-Directors of the pregnancy and the expected week of childbirth as soon as is practical. They are from that point entitled to reasonable time off to accompany the gestational parent to ante-natal visits and classes. The times of these visits should be communicated to the Co-Directors as soon as possible so as to minimize the inconvenience to others and so that steps can be taken to minimize the impact on the organization.

Non-gestational parents are entitled to take three weeks (*paid*) non-gestational parents' leave to start at any time from the 38<sup>th</sup> week of pregnancy to 16 days after delivery. The entire leave should be taken and used within 56 days of the *actual* date of childbirth, with the exception of when the baby is born prematurely, when the 56 days can be extended to end 56 days after the *expected* week of childbirth. These three weeks can be taken as one block or can be split up into blocks of weeks but not as separate days.

Only one period of leave will be available to the employee even if more than one child is born as the result of the same pregnancy, or the employee adopts more than one child.

## **Eligibility**

### **Non-gestational parents' leave following the birth of a child**

The employee will be eligible for non-gestational parent's leave and pay if they:

- are the non-gestational parent of the child, regardless of gender, or the employee is one of a couple who are eligible for and intend to apply for a Parental Order in respect of the child
- have worked for the employer for a minimum of 26 weeks by the 'notification week' (i.e. the end of the 15th week before the expected week of childbirth (EWC))
- have or expect to have responsibility for the upbringing of the child as a parent
- have given the correct notice
- have not taken a period of shared parental leave in respect of the child.

### **Non-gestational parent (paternity) leave following adoption**

The employee will be eligible for leave and pay equivalent to non-gestational parents' leave and pay on the adoption of a child if the employee:

- has or expects to have the main responsibility for the child's upbringing
- are either married to or the partner of the child's adopter
- have worked continuously for Seenaryo for 26 weeks ending with the week in which the child's adopter is notified of having been matched with the child
- have given the correct notice and complied with any requirements to produce evidence
- have not taken a period of shared parental leave in respect of the child.

## **Pay**

During the employee's non-gestational parent's leave the employee may be entitled to statutory paternity pay (SPP). SPP will be at the rate which is in force at the time. Additionally Seenaryo will "top-up" SPP to full pay (based on the normal hours worked) for the two weeks of non-gestational parent's leave.

## **Notice**

### **Non-gestational parent's leave following the birth of a child**

The employee is required to inform Seenaryo of their intention to take non-gestational parent's leave in or before the 15th week before the EWC, unless this is not reasonably practicable. The employee will need to inform the Co-Directors in writing of:

- the week the baby is expected

- whether the employee wish to take one or two weeks' leave
- when the employee wants the leave to start.

The employee must inform Seenaryo, in writing, as soon as is reasonably practicable after the child's birth, of the date on which the child was born.

The employee may be required to give the Co-Directors a signed declaration that the employee wish to take non-gestational parent's leave to care for a child or support the child's gestational parent and that the employee satisfy the eligibility criteria as set out at the beginning of this policy.

If the employee has given notice of their intention to take non-gestational parent's leave and wishes to change the date that their non-gestational parent's leave begins, the employee must give written notice 28 days before the new period of leave is due to start.

### **Non-gestational parent's leave following the adoption of a child**

The employee must inform Seenaryo of their intention to take non-gestational parent's leave no more than seven days after the date on which the adopter is notified of having been matched with the child. If that is not reasonably practicable, the employee must notify Seenaryo as soon as possible. The employee will need to specify:

- the date on which the adopter was notified of having been matched with the child
- the date on which the child is expected to be placed with the adopter
- whether the employee wish to take one or two weeks' leave
- when the employee want the leave to start.

### **Ante-natal appointments**

Seenaryo will allow all ante-natal appointments to be taken as paid leave.

### **Contractual benefits**

The employee is entitled to their normal terms and conditions of employment, except for terms relating to wages or salary (unless the contract of employment provides otherwise) throughout their non-gestational parent's leave.

The employee will continue to remain bound by any obligations arising under their contract of employment.

### **Return to work after non-gestational parent (paternity) leave**

The employee is entitled to return to the same job following two weeks' non-gestational parent's leave. The right to return to work after Shared Parental leave is covered in that section.

The arrangements for returning from non-gestational parent's leave are detailed in the general section of the policy above.

The employee will not be subject to any detriment by Seenaryo because the employee took or sought to take non-gestational parent's leave.

Seenaryo will deal with any requests by employee to change their working patterns (such as working part-time) after non-gestational parent's leave on a case-by-case basis, in accordance with the

organisation's policies which are available on the shared drive. The Co-Directors will try to accommodate the employee's wishes unless there is a justifiable reason for refusal, bearing in mind the needs of the organisation. It is helpful if requests are made as early as possible.

If the employee does not intend to return to work or is unsure, it is helpful if the employee discuss this with Seenaryo as early as possible. If the employee decide not to return the employee should submit their resignation in accordance with the contract of employment. Once the employee has done so the employee will be unable to change the employee's mind without Seenaryo's agreement. This does not affect the employee's right to receive SPP.

### **Shared Parental Leave**

The employee may be eligible to take shared parental leave (SPL) after non-gestational parent's leave. Please refer to the shared parental leave policy for further information on entitlements, eligibility and notice requirements. Non-gestational parent's leave cannot be taken if a period of SPL has already been taken in respect of the child.

## **UK Statutory Provision (for reference)**

The legal framework states that:

- It is unlawful to treat detrimentally or dismiss an employee for taking or seeking to take paternity leave.
- To be entitled to paternity leave they must have worked continuously for their employer for 26 weeks prior to the 15<sup>th</sup> week before the baby is due
- Paternity leave can be taken as one two week block or two one week blocks but not single days
- Leave can be taken from the date of the child's birth or from a chosen number of days after the birth or a chosen date later than the first day of the expected week of childbirth
- Paternity leave must be taken and used within 56 days of the actual date of delivery, with the exception of when the baby is born prematurely when the 56 days can be extended to end 56 days after the expected week of childbirth
- Paternity leave entitlement is also due when the baby is stillborn after 24 weeks of pregnancy or when a live baby is born at any time during the pregnancy, but subsequently dies
- Fathers or partners of expectant women are not entitled to paid time off to attend ante-natal visits, or classes but are entitled to unpaid time off for two appointments

The employee will be entitled to statutory paternity pay (SPP) if, during the relevant period, the employee's average weekly earnings are not less than the lower earnings limit set by the government.

In this paragraph, relevant period means:

- In birth cases, the eight-week period ending immediately before the 14th week before the EWC.
- In adoption cases, the eight-week period ending immediately before the week in which the employee or the other adopting parent were notified of being matched with the child.

SPP is paid at a prescribed rate which is set by the government for the relevant tax year, or at 90 per cent of the employee's average weekly earnings calculated over the relevant period if this is lower.

The employee should discuss their particular circumstances with the employee's local social security office (Department for Work and Pensions) as the employee may be eligible for further financial support.

Non-gestational parents are entitled to unpaid time off to attend two ante-natal appointments.

**Jordan Statutory Provision (for reference)**

According to the Jordanian Labour Law at the time of writing, there is no statutory provision for the non-gestational parent. Organisations can make these provisions for employees at their own discretion.